85-452

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IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1985

Supreme Court, U.S.
FILED
AUG 14 1985
JOSEPH F. SPANIOL, JR.
CLERK

Robert T. and Lily Farley Ross Dale,

Petitioners,

-vs-

Commissioner of Internal Revenue,

Respondent.

SUPPLEMENTAL APPENDIX TO PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Robert T. Dale
Lily Farley Ross Dale
Pro Se
54 Phaeton Drive
Penfield, N.Y. 14526

HPP

UNITED STATES TAX COURT

WASHINGTON, D.C. 20217

ROBERT DALE, ET AL	)	
	)	
PETITIONER,	)	
	)	
V.	)	Docket No.
	)	
COMMISSIONER OF INTERNAL REVENUE	)	11212-78
	)	2137-79
RESPONDENT.	)	

ORDER

Upon due consideration of the informal request by petitioner Lilly Farley Ross Dale, a copy of which is attached hereto and for cause, it is

ORDERED that these cases are stricken for trial from the November 26, 1984, Philadelphia, Pennsylvania trial session and are continued pending further direction from the Chief Judge of this Court. It is further

ORDERED that respondent's motion to consolidate is granted and the above cases

are consolidated for trial, briefing and opinion. It is further

ORDERED that petitioners' motion for summary judgment filed as of the date of this order is denied upon the ground that there are genuine issues of material facts in dispute in this case. It is further

ORDERED that respondent's motion to show cause why proposed facts in evidence should not be accepted as established is moot since these cases are no longer calendared for trial. It is further

ORDERED that petitioners' motion for United States Tax Court to impound records to insure their availability for purpose of review by the parties at trial filed as of the date of this order is denied.

(Signed) HOWARD A. DAWSON, JR.

Chief Judge

Dated: Washington, D.C. - November 7,1984

CERTIFICATE OF SERVICE

This is to certify that three copies of the foregoing Supplemental Appendix to Petition for Writ of Certiorari were served on the Solicitor General by U. S. Mail on September 9, 1985, at the following address:

Solicitor General
Department of Justice
Washington, D.C. 20530